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**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q66676

Toshiaki KUNIYASU, et al.

Appln. No.: 09/973,814

Group Art Unit: 2828

Confirmation No.: 7822

Examiner: James W. DAVIE

Filed: October 11, 2001

For: SEMICONDUCTOR LASER DEVICE WITH A CURRENT NON-INJECTION REGION  
NEAR A RESONATOR END FACE, AND FABRICATION METHOD THEREOF

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicants are filing

concurrently herewith a Statement Under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required.

The present Information Disclosure Statement is being filed thirty days or fewer from the communication from a foreign patent office and a Statement Under 37 C.F.R. § 1.704(d) is attached.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicants enclose herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents, together with an English-language version (if not already included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office. Applicant submits that all documents listed on the Communication, but not listed on the enclosed PTO 1449 form, were submitted in the Information Disclosure Statement filed on January 29, 2004.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

INFORMATION DISCLOSURE STATEMENT  
U.S. Appln. No.: 09/973,814

Attorney Docket No.: Q66676

overpayments to said Deposit Account. A duplicate copy of this paper is attached.


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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Respectfully submitted,



Allison M. Tulino  
Registration No. 48,294  
Date: March 30, 2004

Substitute for Form 1449 A &amp; B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

1

of

1

**Complete if Known**

Application Number	09/973,814
Confirmation Number	7822
Filing Date	October 11, 2001
First Named Inventor	Toshiaki KUNIYASU
Art Unit	2828
Examiner Name	James W. DAVIE
Attorney Docket Number	Q66676

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US 5,394,421		02/28/95	Ikawa et al.
		US			
		US			
		US			
		US			
		US			
		US			
		US			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		EP	0 920 096	A2	06/02/99		

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
		Patent Abstracts of Japan, vol. 2000, no. 07, 2000101198, April 7, 2000.	
		M. SAGAWA et al. "Highly reliable operation of high-power 0.98- $\mu$ m InGaAs/InGaAsP lasers with a window structure fabricated by Si implantation", SEMICONDUCTOR LASER CONFERENCE, 1998 IEEE 16 <sup>th</sup> International Nara, October 4, 1998	
		S. RUSLI et al. "1 W CW reliable $\lambda = 730$ nm aluminum-free active layer diode laser", ELECTRONICS LETTERS, vol. 36, no. 7, March 30, 2004	
		Toshiaki FUKUNAGA et al. "High-Power 0.8 $\mu$ m InGaAsP/InGaP/AlGaAs Single Quantum Well Lasers with Tensile-Strained InGaP Barriers XP 001096289, Japanese Journal of Applied Physics, vol. 38, no. 4A, April 1, 1999	

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.



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Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed  
concurrently herewith was first cited in any communication from a foreign patent office in a  
counterpart foreign application not more than three months prior to the filing of said Information  
Disclosure Statement.


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The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and that the communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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